

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Ronald M. Davis and Angela Lorraine Davis Case No.: 14-21357
Debtor(s) Judge: RG

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: 6/15/2018

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: MRS

Initial Debtor: RMD

Initial Co-Debtor: ALD

Part 1: Payment and Length of Plan

a. The debtor shall pay \$200 per month to the Chapter 13 Trustee, starting on 6/1/2018 for approximately 12 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ \$32,794.09 through June 2018

☒ Other sources of funding (describe source, amount and date when funds are available):

Debtors' parents/ relatives shall contribute \$13,869 toward Debtors' Chapter 13 Plan.

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE:
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
MTGLQ Investors	1st Mortgage	\$12,914.75		\$12,914.75	\$1,551.26
Wells Fargo Financial	2nd Mortgage	\$2,648.24		\$2,648.24	

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Ally Financial	2011 GMC Arcadia		Surrendered in full satisfaction of claim
PNC Bank	44A Taylortown Rd. Montville		Surrendered in full satisfaction of claim

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service*, *Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
- ☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Attorneys Fees
- 3) Secured and Priority Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 4/23/2015

Explain below **why** the plan is being modified:

Debtors anticipated a significant tax refund in order to fund their plan. However, Debtor was unemployed for a period of time and received reduced tax refund. Debtors' parents/ relatives shall contribute \$13,869 into chapter 13 plan.

Explain below **how** the plan is being modified:

Part 1(b) is amended to reflect that Debtors parents/ relatives shall contribute additional funds toward Chapter 13 Plan.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void. The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 6/15/2018

/s/ Mitchell R. Stein
Attorney for the Debtor

Date: 6/15/2018

/s/ Ronald M. Davis
Debtor

Date: 6/15/2018

/s/ Lorraine. Davis
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 6/13/2018

/s/ Mitchell R. Stein
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 6/15/2018

/s/ Ronald M. Davis
Debtor

Date: 6/15/2018

/s/ Angela Lorraine Davis
Joint Debtor

Certificate of Notice Page 10 of 11
 United States Bankruptcy Court
 District of New Jersey

In re:
 Ronald M Davis
 Angela Lorraine Davis
 Debtors

Case No. 14-21357-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

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 Total Noticed: 31

Date Rcvd: Jun 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2018.

db/jdb
 cr +Ronald M Davis, Angela Lorraine Davis, 5 Oak Lane, Lake Hiawatha, NJ 07034-1702
 +WELLS FARGO BANK, N.A., Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100,
 Mt. Laurel, NJ 08054-3437
 cr +Wells Fargo Bank, NA, Phelan Hallinan & Schmieg, PC, 400 Fellowship Rd Ste 100,
 Mt Laurel, NJ 08054-3437
 514898747 +ALTAIR OH XIII, LLC, C O WEINSTEIN, PINSON, AND RILEY, PS, 2001 WESTERN AVENUE, STE 400,
 SEATTLE, WA 98121-3132
 514829120 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Childrens Place/Citicorp Credit Services,
 Attn: Centralized Bankruptcy, Po Box 20363, Kansas City, MO 64195)
 514829118 Cap One, Po Box 52530, Carol Stream, IL 60196
 514851306 +Department Stores National Bank/Macys, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 514829122 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 514829123 +Fein, Such, Kahn, & Shepard, P.C., 7 Century Drive, Suite 201, Parsippany, NJ 07054-4673
 516432880 MTGLQ Investors, LP, c/o Rushmore Loan Management Services, P.O. Box 52708,
 Irvine, CA 92619-2708
 516432881 +MTGLQ Investors, LP, c/o Rushmore Loan Management Services, P.O. Box 52708,
 Irvine, CA 92619-2708, MTGLQ Investors, LP,
 c/o Rushmore Loan Management Services 92619-2708
 514829124 McCabe, Weisberg & Conway, PC, 216 Haddon Avenue, Suite 216, Westmont, NJ 08108
 514829126 +Novartis Federal Credit Union, 124 S Ridgedale Avenue, East Hanover, NJ 07936-3190
 514829128 +PNC Mortgage, 6 N Main St, Dayton, OH 45402-1908
 514829127 +Phelan Hallinan & Diamond, PC, 400 Fellowship Road, Suite 100, Mount Laurel, NJ 08054-3437
 514829130 +TD Bank Usa, PO Box 673, Minneapolis, MN 55440-0673
 514829133 ++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING,
 ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203
 (address filed with court: Wells Fargo Home Mortgage, 8480 Stagecoach Circle,
 Frederick, MD 21701)
 515072828 +WELLS FARGO BANK, N.A. AS SERVICER FOR FEDERAL HOM, WELLS FARGO BANK, N.A.,
 Attention: Bankruptcy Department, MAC#D3347-014, 3476 Stateview Boulevard,
 Fort Mill, SC 29715-7203
 514948865 Wells Fargo Bank, N.A., PO BOX 10438, Des Moines, IA 50306-0438
 514829132 +Wells Fargo FinanceBank, Attention: Bankruptcy, POBox 10438, Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 21 2018 00:04:59 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jun 21 2018 00:04:56 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 514902318 E-mail/Text: ally@ebn.phinsolutions.com Jun 21 2018 00:03:55
 Ally Capital serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004
 514829115 +E-mail/Text: ally@ebn.phinsolutions.com Jun 21 2018 00:03:55 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 514829116 E-mail/PDF: resurgentbknofications@resurgent.com Jun 21 2018 00:10:14 Cach LLC,
 PO Box 10587, Greenville, SC 29603-0587
 514829117 +E-mail/Text: bankruptcy@cavps.com Jun 21 2018 00:05:16 Calvary Portfolio Services,
 Attention: Bankruptcy Department, 500 Summit Lake Dr. Suite 400, Valhalla, NY 10595-1340
 514829119 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 21 2018 00:10:45 Capital 1 Bank,
 Attn: Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285
 514838404 +E-mail/Text: bankruptcy@cavps.com Jun 21 2018 00:05:16 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 514829125 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 21 2018 00:04:55 Midland Funding, LLC,
 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
 514829129 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 21 2018 00:21:15
 Portfolio Recovery, Attn: Bankruptcy, PO Box 41067, Norfolk, VA 23541
 515090651 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 21 2018 00:10:39
 Portfolio Recovery Associates, LLC, c/o Capital One/Hsbc, POB 41067, Norfolk VA 23541
 TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

514846425* CACH, LLC, PO Box 10587, Greenville, SC 29603-0587
 514829121* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20363,
 Kansas City, MO 64195)
 514829131* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Unvl/citi, Attn: Centralized Bankruptcy, PO Box 20507,
 Kansas City, MO 64195)

TOTALS: 0, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0312-2

User: admin
Form ID: pdf901

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Total Noticed: 31

Date Rcvd: Jun 20, 2018

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 15, 2018 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor Wells Fargo Bank, NA nj.bkecf@fedphe.com
Brian E Caine on behalf of Creditor MTGLQ Investors, LP bcaine@parkermccay.com,
BKcourtnotices@parkermccay.com
Celine P. Derkrikorian on behalf of Creditor PNC Bank, N.A. njecfmail@mwc-law.com
Celine P. Derkrikorian on behalf of Creditor PNC Bank, National Association
njecfmail@mwc-law.com
Denise E. Carlon on behalf of Creditor MTGLQ Investors, LP dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Jerome B. Blank on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
Marie-Ann Greenberg magecf@magtrustee.com
Mitchell R. Stein on behalf of Debtor Ronald M Davis mitchell@stein-stein.com,
msteinlaw@yahoo.com
Mitchell R. Stein on behalf of Joint Debtor Angela Lorraine Davis mitchell@stein-stein.com,
msteinlaw@yahoo.com

TOTAL: 9